

Judge Whitney,

I would like to preface this letter by saying that I greatly appreciate the time taken to read what I have written and that I have to the best of my abilities related a major portion of a very difficult period of my life in so many words. I have attempted to offer an idea for the motivations behind my actions and involvement, the environment in which I was brought up, the consequent and necessary changes I have made as a result of my actions, my current motivations and endeavors, including school and future plans, and my outlook on how this event has changed my life for the better. At no point in this letter do I seek to offer an excuse for the inexcusable. I take full responsibility for my actions and this letter is in no way intended to defer guilt or blame. I believe in the end every individual should account for their own actions regardless of their surroundings. It is too easy these days to put fault where there is no fault.

My involvement in the warez scene began some years after my parents' divorced when I was 8 years old and living in Toronto, Canada. When my father left for the United States, my sister Hasti, who suffers from a rare genetic disease known as alpha mannosidosis, became my responsibility. This disease causes a great learning disability and mental retardation, deafness, brittle bones, and as a result, an inability to take care of oneself. Thus, it became my role at a very early age to play the father figure to her and all my time was devoted to her. I had to get her ready in the mornings, give her breakfast, take her to her bus, and then in the afternoon, pick her up, give her dinner and so forth. As I mentioned, this cycle began at the early age of eight and basically it left me no time to get out of the house or socialize with friends. And all during this cycle, my mother was of course either working or out socializing herself.

When I reached the age of 14, my interest in computers had come to a peak, and my father, who my sister and I would visit every holiday, travelling alone by plane, (winter break, spring break, and summers) had bought me a PC. When we returned to Toronto with the PC, I essentially spent all of my time on it since I was always at home with my sister. I began using the computer as an outlet to chat and meet people, something which I was not able to do as a normal person would, due to special circumstances with my sister. And so, at this point in my life, my mother had begun having an affair with a married man, which was an extremely rocky relationship which brought about night after night of excessive drinking and fighting. They would both show up at home maybe around 11p.m. already drunk, or come home around 5p.m. and start drinking, all along in front of my sister and me. Some nights their arguments would be so loud that my sister would wake from her sleep even when she did not have her hearing aids on.

It was at this point where I deeply became attached to my computer and began searching for ways to block out my reality. This was when I discovered IRC, internet relay chat, and slowly began meeting people who were into the warez scene. I was still a kid and interested in finding games to play, something we could not afford to buy, so through constant chatting online, I soon discovered that everything was available to me online for free, although I was not

aware at that age of the illegality of my actions. The computer became my outlet at any moment I had free time; I used it to go into my own world and forget about what was really going on in my life. And it was also at this point where I began to meet people deeply rooted in the warez scene, such as the founder of MaGE, the group I would eventually join a couple years later.

When I was 16, I reached a boiling point with my mother and her relationship with her "boyfriend" and decided that my sister and I needed to move to the U.S. to live with my father in a small town in Indiana. This move I thought was for the better and allowed me to go into a new environment which was supposedly stress-free where I could concentrate on finishing the last two years of high school. Up to this point my grades were still holding up well and I had received a few academic honors throughout junior high school. Despite my good intentions, the move proved to be very stressful as my parents were not speaking and I was the only line of communication between them. Throughout the first six months I was constantly arguing with my father regarding our custody which was to be relinquished by my mother. The same arguments any divorcing couples would have about custody of their kids, just without a court or a judge to mitigate the process; just me in the middle. As a result, I found it also extremely difficult to adjust to my new surroundings and I found myself incapable of fitting in with my peers at school. Therefore again, I was constantly on my computer in my spare time chatting and at this point, making friends with people in the warez scene who had now drawn me into a whole new underground world.

I met the founder of MaGE online some years earlier in Toronto, known to me as "purp", and I had established a friendship with him over the years and we both gained mutual trust. I was invited to join the group when I was living with my father in Indiana and regrettably, I did so. My initial involvement was very minimal as my internet connection in Indiana was by way of satellite and I did not have a constant connection to the internet. I mostly chatted in the group's IRC channel and watched how things worked on a daily basis. I was also given access to a couple or so FTP sites where I was able to download games and other things I wanted. The excessive time I spent online allowed me to gain a great knowledge of the group and its members and I eventually became a regular. Once in a while I would do what is known as "couriering", which is the process of spreading a pirated work the group had made from one FTP server to other FTP servers. This was the beginning of what became a completely out of control hobby which has cost me countless hours of my life and has been a catalyst for many other misfortunes, which in the end were all brought on by myself.

After I finished high school in Indiana, with an advanced honors diploma and a G.P.A. of 3.85, I was accepted to the University of Toronto back in Canada, among other American schools. And much to the dismay of my father, I had decided to attend university back in Toronto. He was unhappy with the decision, which in retrospect was in fact an incorrect decision, because he did not want me to get mixed up with my mother's problems once again. So, due to that fact after two months of pleading, I convinced my father to rent me an apartment for the year so I would not have to live with my mother. This was yet again another bad decision

on my part. My involvement in the warez scene had become such a routine in my life that it completely went out of control when I moved into the apartment by myself. I enrolled in classes, but seldom did I attend them, I stayed up until 5 or 6 in the morning day after day, constantly chatting online and seeing if there were new pirated works to spread around. I started to even search online for software that was unreleased on the internet and relay the information to the group leaders. For reasons unknown to me, I was fascinated with how much respect the group gained each time a new software title was released. It was the illusion of power and fame that got to me I believe. I was only 18 at this point in time and my judgment was way off base, or better yet, it was inexistent. I felt that the notoriety we gained online was some sort of reality and that it was something I needed to seek out. This is the most absurd idea to me now that I am writing about it some four years after the fact. At the time, I could not even realize that the so called "people" who I called my friends were all just usernames on the computer screen; I had no idea who they really were or what their motivations really were. My best friend, who I have known since I was 3 and who was an honors student at the university as well, would tell me that I was an idiot for wasting all my time on the computer, but I would not listen. I felt like I was achieving something online through MaGE which I could not do in real life, when in fact, I could have achieved much more and beyond if I had only studied that year.

At the end of my first year at the University of Toronto I had a cumulative G.P.A. of 0.25 and had managed to fail all my classes, except a D in one course all year. My father had made a written agreement with me that I would get straight A's at the beginning of the year or else he would no longer support me. And as the writing was on the wall, summer came and my father decided to disown me for wasting a year of my life and because I did not even care. I never thought he would actually go through with any of it, but after a series of very engaging phone calls and arguments, my addiction to the computer had cost me my relationship with my father. It had cost me a year of my life, my father, academic probation and it left me no choice but to move back in with my mother.

In August 2004, I had hit rock bottom, my father literally told me I was dead to him, as he should be to me as well. I had to move back in with my mother who was still, three years later, in the same unstable relationship. I was back to square one, back to where my problems began in the first place. And I found no other comfort than to be on the computer once again. My involvement grew larger as I had met many members of other groups over the past year and I had gained access to many more FTP servers. I had access to all types of games, movies, software, music and so forth at my fingertips which when requested by other users, I was happy to provide to them. That being said, I would like to make clear that not once have I ever profited or even considered selling any pirated works. My motivation was never driven by a desire to make a profit from my actions. My motivation was solely routed in keeping myself busy with a greatly misguided "hobby" for lack of a better term. Yet sadly, this hobby was the only thing I looked forward to each day at that point in my life. I knew there was group of people online that were always waiting for me to show up. I had absolutely no desire or motivation to pursue my

academics while living at my mother's house as well. The incessant fighting, drinking, arguing, yelling and other distractions left me no will to attempt to better myself. I just wanted to get out of there somehow and another semester passed me by and resulted in an academic suspension.

Now, a year and a half too late, I felt a sense of urgency and panic in my life. I was no longer admitted in school and I began to realize I was wasting my life and that I was the only one who could help me. I had drizzled away another 6 months of my life and had nothing to show for it except a weight gain of 20 pounds. I remember at some points going to bed when the sun came up and waking up when it was about to set, while spending the time in between on the computer as usual. I knew I needed to get my act together somehow but I was not sure where I could go to free myself of my constant stress at home. And thankfully one day, my closest cousin who was living in California called me and said that he was buying a house and he thought I should move in with him. We had grown up together in Toronto spending every spare moment together, despite his being 11 years older than me. I realized that this was my out. It was how I could finally begin to change my life and gradually wean myself off the computer and the warez scene. So in March 2005, I had shipped all my belongings to California and had flown out to attempt to start a changed and bettered life with my cousin.

The transition to California was slow for me, as I had spent the last year and a half doing nothing but being on the computer. However, the difference in this move for me was great as I for the first time in about 4 years had no external pressures or environmental stress. I was at ease with my cousin; no worries. My goal was to start with a clean slate in a local community college by Fall 2005 (the upcoming semester at the time). By April I had purchased a used car with left over student loans from Canada, which I am still paying off to this day. My sleep started to adjust and become normal once again as well. I was feeling emotionally and mentally cleansed. I even lost the 20 pounds within the first three months. But, I was still unclear on how I would achieve my goal of getting into college by the fall. I needed a job, my car had many mechanical problems, and I was still involved with my computer and the warez scene. After all these years, it was extremely difficult to stop my involvement online. Although I had significantly reduced the time I spent online since my stay in Toronto, I was still wasting precious time and I knew it this time. With encouragement from my cousin and a little bit of tough love, I finally managed to find a job in May 2005 at a local Target store.

I was hired as a specialist for the electronics and movies/music area and I was working 40 hours a week, varying between day and night shifts. I was spending much less time on the computer and began focusing on real life for once. Although, I will not lie by saying I did not still enjoy the "benefits" of the warez scene. Although, I spent far less time on the computer, I still had my access to multiple FTP servers and enjoyed using them for my own purposes to get games and movies and so on. And I did still share with other users who made requests by leaving me a message or so. It was of course nothing less of stupid of me to continue with this obsession with the world of piracy. The most defining moment of my life came one day at the end of June 2005. I was at another Target store getting on-the-job training at 6am, when

unknown to me a search warrant was executed on my house. Some hours later, FBI agents showed up at my store and the rest is known all too well.

I now look back to this day, perhaps oddly to some, as one of the best days of my life. It was the day when I got a much needed wakeup call which obviously, after many years, my friends or family could not give me. All our computers were taken from the house and it was the best thing that could have happened in my life at the time. I realized now that I had truly done something wrong, something that is inexcusable, not only as a matter of law, but to my father who had supported me, to my few friends and family who had tried to reach through to me, and my sister who would not even understand the consequences of my actions. The deep guilt began to set in the following days after the fact. I felt no guilt or worry for myself, but I felt guilty that my cousin's house was raided and shown on the news, or the embarrassment he must have felt in the neighborhood. I had betrayed the only person I knew who tried to help me in my most difficult times. It was devastating for me, yet my cousin did not even think twice about any of it. He still stood behind me despite all the damage I had incurred. You do not find a person like this every day. He saved my life once by taking me in, and he did it again by not kicking me out. For that I am eternally grateful.

I continued working every day, trying to regain my mental focus on my goal of going to college. I even had my best friend e-mail my father, who I had not talked to for a year now, on my behalf. The e-mail related stated the events of the past year, from how I set out to California to change my life to when my life was changed for good. Another month passed and I got a phone call from my father one day saying that he was in town. That night I saw my father after almost exactly a year and we reconciled. He once again, despite all my mistakes, decided to support me in my efforts to get on the right track. I know one must think a parent will always support their child, but I had no expectations from him that he was required to do anything for me. I was even shocked at the phone call in the first place due to the time lapse between from the time I e-mailed him to when he called me. Regardless, with my father behind me once again, I enrolled in college for Fall 2005 and my goals of exiting the warez scene and starting college were met, albeit in drastic fashion.

Fast-forwarding to the present day, after two years at community college while living with my cousin, I earned my transfer credits with a G.P.A. of 3.389 (two semesters I had a G.P.A. of 4.00). In that time I have improved myself in many ways. I have been going to the gym for the past two years, I have once again started to play the piano, I use my computer skills to maintain my uncle's computers and equipment at his dental office in Las Vegas (I do so remotely and I do not charge him of course), I have learned to maintain my car on my own, I have become active in the stock market, I have become a pretty good cook as others tell me, I have made friends and spend significant time with my family. And most importantly, I have moved in with my father in Palm Springs, where I could be close to my sister who lives in Palm Springs as well but separately in a group home for disabled children.



I was accepted into the business program at the University of California, Riverside and I am currently enrolled in classes. My goal is to finish my undergraduate studies within two years and then apply to graduate school for either a Masters in Business Administration (MBA) and/or a Judis Doctor (JD). I currently feel re-energized, focused, and motivated. I am on a path to realize my new goals and to fulfill the great potential which I know I have and have always been told I have. I view my legal troubles as my greatest motivator to prove that I am better than my past. I know that jobs will not come easy for me any longer as a result of my conviction and that I have to be relentless in my studies so that I can provide for myself in the future. I do not take the matter lightly; it is my life, my future and I will no longer sacrifice it.

My mistakes have truly made me a better person today and I cannot say that I wholeheartedly regret making them because in a way I think it was the only way I would change for the better. I realize the seriousness and severity of my actions and in no way did I purposely attempt to downplay my actions or their consequences in my statement. In two years, there has not been a single night where my conscience has not weighed down on me and I have not thought about my actions and their consequences. I am truly sorry for what I have done and I have fully grasped the lessons which were brought about by my actions. I wrote this letter with a heavy heart because it recalled the most difficult period of my life, but I did so in the hope that it will bring forth the best of it.

Sincerely,

Houtan Yaghmai